

FACSIMILE TRANSMITTAL FORM	Application Number	10/712360
	Filing Date	November 13, 2003
	First Named Inventor	Guerra, Miguel A.
	Art Unit	1711
	Examiner Name	Ana Lucrecia Woodward
Fax: 571-273-8300	Attorney Docket Number	59393US002
Total Number of Pages in This Submission: 3		RECEIVED CENTRAL FAX CENTER
Date: October 17, 2005	Attorney for Applicant: Philip Y. Dahl	
	OCT 17 2005	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosures: <u>Response to Restriction Requirement</u>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund <input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
REMARKS:		

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION
MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION
INTENDED ONLY FOR THE PERSON OR ENTITY NAMED BELOW.

If you are not the intended recipient, please do not read, use, disclose, distribute or copy this transmission.
If this transmission was received in error, please immediately notify me by telephone directly at 651-737-4029 or 651-733-1500, and we will arrange for its return at no cost to you.

32692
Customer NumberRECEIVED
CENTRAL FAX CENTER
OCT 17 2005Patent
Case No.: 59393US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: GUERRA, MIGUEL A.

Application No.: 10/712360

Group Art Unit: 1711

Filed: November 13, 2003

Examiner: Ana Lucrecia
Woodward

Title: REINFORCED POLYMER ELECTROLYTE MEMBRANE

RESPONSE TO RESTRICTION REQUIREMENTMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

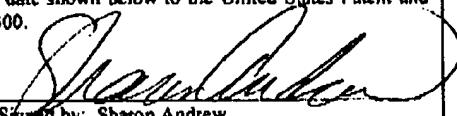
CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR § 1.8(a))

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.

October 17, 2005
Date


Signed by: Sharon Andrew

Dear Sir:

This is in response to the Office Action mailed October 5, 2005. Claims 1 - 47 are pending.

Claims 1 - 47 were restricted under 35 USC § 121 as follows:

- I. Claims 1 - 19 are said to be drawn to a method of making an electrolyte membrane, classified in Class 427, subclass various; and
- II. Claims 20 - 47 are said to be drawn to an electrolyte membrane, classified in Class 429, subclass various.

Election

In response, Applicants elect Group I, with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

Applicants submit that the claims of Groups I and II are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of the claims of Groups I and II in different classes and subclasses is not necessarily sufficient grounds to require restriction.

Were restriction to be effected between the claims of Groups I and II, a separate examination of the claims of Groups I and II would require substantial duplication of work on the

Application No.: 10/712360Case No.: 59393US002

part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims of Groups I and II, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Conclusion

Applicants have elected Group I. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

By: 
Philip Y. Dahl, Reg. No.: 36,115
Telephone No.: 651-737-4029

October 17, 2005

Date

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833